

No. 4:11CV517 NAB

be brought only in (1) a judicial district where any defendant resides, if all defendants reside in the same State, (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a

substantial part of property that is the subject of the action is situated, or (3) a judicial district in which any defendant may be found, if there is no district in which the action may otherwise be brought.

Under both of these venue provisions, the proper venue for this action is the District of South Carolina, which is where the unlawful employment acts are alleged to have been committed.


Under 28 U.S.C. § 1406(b), “The district court of a district in which is filed a case laying venue in the wrong division or district shall dismiss, or if it be in the interest of justice, transfer such case to any district or division in which it could have been brought.” Because plaintiff is proceeding pro se, the Court finds that it is in the interest of justice to transfer this case to the United States District Court for the District of South Carolina.

Accordingly,

IT IS HEREBY ORDERED that plaintiff’s motion to proceed in forma pauperis is **provisionally granted**, subject to modification by the United States District Court for the District of South Carolina.

IT IS FURTHER ORDERED that the Clerk shall transfer this case to the United States District Court for the District of South Carolina.

Dated this 23rd day of March, 2011.


AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE